## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

UNITED STATES OF AMERICA :

vs. : CRIMINAL ACTION 08-00132-CG

ROBERT VEZENDY :

## <u>ORDER</u>

On May 15, 2008, counsel for Defendant filed a Motion to Continue Trial Setting (Doc. 16). As grounds for the sixty (60) day extension requested in the motion, Dennis Knizley, counsel for Defendant, stated that, in order to properly defend this more complicated case, it will be necessary for Defendant to retain the services of experts in the highly technical field of examining computer hardware and software. Furthermore, the devices which are to be examined by experts are in Montgomery in the custody of the Alabama Bureau of Investigation and defense counsel must either travel to Montgomery or have the images transferred on devices here in Mobile. Counsel state that this action cannot properly be prepared for trial until such expert reviews on behalf of the defense and the United States has taken place.

After conferring with counsel by telephone on May 16, 2008, the Court is persuaded that the ends of justice outweigh the best interests of the public and Defendant in a speedy trial.

Accordingly, the Probation Office conference, the pretrial

conference and the trial are hereby CONTINUED to the September 2008 criminal term, commencing with jury selection on September 2, 2008. Defendant is to file a written waiver of his speedy trial rights specifically mentioning the September 2008 criminal term not later than Friday, May 23, 2008. The Clerk is DIRECTED to refer this action to Judge Cassady for the scheduling of a Probation Office conference and a pretrial conference for the September 2008 criminal term.

Also, on May 15, 2008, Defendant filed a Motion to Extend Time for Pretrial Motions (Doc. 17). The Motion is hereby

GRANTED and the time is EXTENDED to August 1, 2008.

DONE this 19th day of May, 2008.

s/BERT W. MILLING, JR.
UNITED STATES MAGISTRATE JUDGE